

Cahill, Christopher J.

From: Rogers, David M. <drogers@Campbell-trial-lawyers.com>
Sent: Thursday, March 24, 2016 5:59 AM
To: 'Miriam Weizenbaum'
Cc: 'Robert Hafner'; Campbell, James M.; Chang, Diana A.; 'jkelleher@hcc-law.com'; Cahill, Christopher J.; Ronalter, William J.; Bergenn, James; Ostrowski, Mark K.; 'Amato DeLuca'; 'Jennifer St. Cyr'; Vargo, Patricia A; Frink, Rosemarie C.; 'angelonelaw@aol.com'
Subject: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Miriam,

Here is the answer to Question 1 that you posed to Bob Hafner in your email of March 12th at 4:10 PM.

The build information for the Ovalles Notebook is contained in production document SEL 000233. The part code/serial number for the Battery Pack identified therein is 175697221-0292714. Drawing No. SB-AA358, SEL 000756-787, indicates that the battery pack bearing Part No. 1-756-972-21 was built using a US18650G6G Cell. Among the documents we will be producing soon, and which I described to you by category during our telephone conversation on Tuesday, are technical specifications for the US18650G6G Cell which indicate that it is a US18560GS Model.

I hope this answers the question you asked. If not, please let me know.

I don't have the information necessary to answer the second question you posed at this time.

Later today we will be producing documents as part of SEL's continuing supplementation of its responses to discovery requests on a file share site per your request.

David M. Rogers
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W: 617 241-3063
C: 617 285-9091

From: Rogers, David M.
Sent: Wednesday, March 23, 2016 10:16 AM
To: 'Miriam Weizenbaum'
Cc: 'Robert Hafner'; Campbell, James M.; Chang, Diana A.; 'jkelleher@hcc-law.com'; 'Cahill, Christopher J.'; 'WRonalter@goodwin.com'; 'Jim Bergenn'; 'mostrowski@goodwin.com'; 'Amato DeLuca'; 'Jennifer St. Cyr'; 'Vargo, Patricia

A'; 'Rosemarie 'Frink'; 'angelonelaw@aol.com'

Subject: RE: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Miriam attached is Foxconn's list of additional deponents which we received from Tom.

From: Rogers, David M.

Sent: Wednesday, March 23, 2016 9:49 AM

To: 'Miriam Weizenbaum'

Cc: 'Robert Hafner'; Campbell, James M.; Chang, Diana A.; 'jkelleher@hcc-law.com'; 'Cahill, Christopher J.'; 'WRonalter@goodwin.com'; 'Jim Bergenn'; 'mostrowski@goodwin.com'; 'Amato DeLuca'; 'Jennifer St. Cyr'; 'Vargo, Patricia A'; 'Rosemarie 'Frink'; 'angelonelaw@aol.com'

Subject: RE: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Also, by way of further update, regarding dates for when the SEL depositions can be rescheduled to take place, Jim Campbell's trial is going to last through mid-April, but we will have availability during the last two weeks of April. I have to check on the witnesses' availability however.

From: Rogers, David M.

Sent: Wednesday, March 23, 2016 9:32 AM

To: 'Miriam Weizenbaum'

Cc: 'Robert Hafner'; Campbell, James M.; Chang, Diana A.; 'jkelleher@hcc-law.com'; 'Cahill, Christopher J.'; 'WRonalter@goodwin.com'; 'Jim Bergenn'; 'mostrowski@goodwin.com'; Amato DeLuca; Jennifer St. Cyr; Vargo, Patricia A; Rosemarie 'Frink'; 'angelonelaw@aol.com'

Subject: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Miriam,

Attached is the motion to amend the scheduling order and our list of additional deponents. Please let us know if the plaintiffs will assent to the motion and the postponement of the SEL depositions for the reasons we discussed yesterday.

Regarding your other questions, please see my answers below. If you have any questions, feel free to give me a call. I will be in the office all day today.

Dave Rogers

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From: Miriam Weizenbaum [<mailto:Miriam@delucaandweizenbaum.com>]

Sent: Tuesday, March 22, 2016 3:44 PM

To: Rogers, David M.

Cc: 'Robert Hafner'; Campbell, James M.; Chang, Diana A.; 'jkelleher@hcc-law.com'; 'Cahill, Christopher J.'; 'WRonalter@goodwin.com'; 'Jim Bergenn'; 'mostrowski@goodwin.com'; Amato DeLuca; Jennifer St. Cyr; Vargo, Patricia A; Rosemarie 'Frink

Subject: Re: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Dave,

Yes, agreed.

A couple of additional points. It's my understanding plaintiffs will be receiving in the next day or so a list of the discovery defendants would seek if the discovery deadline were extended, as well as the additional time defendants would request. Given that information in that timeframe, I expect to be able to have an answer for you on the plaintiffs' position on the request to extend discovery by the end of the day Thursday.

With respect to the documents you are producing in the next couple of days re. the notebook and the battery or cell, is it possible to send those electronically? Bob Hafner has used dropbox which seems to work seamlessly. **Yes, that should be doable. We can put them into a file share site.**

I also understand you expect to be providing answers to the questions I recently posed to Bob Hafner (what is sent to UL, how SEL arrived at the model for the cell), also in the next day or so. **Yes, I will provide the answers later today.**

One last thing – apparently some of the recent production was described as covering a Bates range that included 1547-1951, however, those pages were missing. Can you send those along? **Yes, those will be in the upcoming production. The numbers might not match up exactly, but the materials are forthcoming.**

Talk soon,

Miriam

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Advocating for the rights of people and families harmed by medical negligence.

From: "Rogers, David M." <drogers@Campbell-trial-lawyers.com>

Date: Tuesday, March 22, 2016 at 10:24 AM

To: Miriam Weizenbaum <miriam@delucaandweizenbaum.com>

Cc: Robert Hafner <RHafner@eckertseamans.com>, "Campbell, James M." <jmcampbell@Campbell-trial-lawyers.com>, "Chang, Diana A." <DChang@Campbell-trial-lawyers.com>, "jkelleher@hcc-law.com" <jkelleher@hcc-law.com>, "Cahill, Christopher J." <CCahill@goodwin.com>, "WRonalter@goodwin.com" <WRonalter@goodwin.com>, Jim Bergenn <jbergenn@goodwin.com>, "mostrowski@goodwin.com" <mostrowski@goodwin.com>, Amato DeLuca

<Bud@delucaandweizenbaum.com>

Subject: Ovalles v. Sony Electronics Inc., et al.: Discovery Issues

Good speaking with you this morning Miriam.

As discussed, we will circulate a motion to extend the discovery period as soon as possible. I advised you that the SEL 30 b 6 depositions and the continued deposition of Julio Posse would have to be rescheduled from the dates noticed due, in part, to Jim Campbell's engagement in trial, but you are presently unable to assent to their continuation without knowing when it was likely they could be rescheduled, whether the plaintiffs' team of lawyers would assent to the motion to extend discovery and whether the judge would grant the motion. We will move for a protective order regarding these depositions if necessary, but we are hopeful that will not be necessary if we can agree on the motion to extend discovery.

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From: Rogers, David M.
Sent: Monday, March 21, 2016 3:06 PM
To: 'Miriam Weizenbaum'
Cc: Robert Hafner; Campbell, James M.; Chang, Diana A.; jkelleher@hcc-law.com; Cahill, Christopher J.; WRonalter@goodwin.com; Jim Bergenn; mostrowski@goodwin.com; Amato DeLuca
Subject: RE: Ovalles v. Sony Electronics Inc., et al. (SEL Document Production - Bates Nos. 1047-1438)

That would be good for me Miriam. Why don't I call you at 9:00. What is your direct dial number?

Dave Rogers
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One Constitution Center, 3rd Floor
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drogers@campbell-trial-lawyers.com

From: Miriam Weizenbaum [<mailto:Miriam@delucaandweizenbaum.com>]
Sent: Monday, March 21, 2016 3:05 PM
To: Rogers, David M.
Cc: Robert Hafner; Campbell, James M.; Chang, Diana A.; jkelleher@hcc-law.com; Cahill, Christopher J.; WRonalter@goodwin.com; Jim Bergenn; mostrowski@goodwin.com; Amato DeLuca
Subject: Re: Ovalles v. Sony Electronics Inc., et al. (SEL Document Production - Bates Nos. 1047-1438)

Dave,

I could talk anytime between 8 and 11 tomorrow. Let me know if that works.

Miriam

Sent from my iPhone
Miriam Weizenbaum
DeLuca & Weizenbaum

On Mar 21, 2016, at 1:49 PM, Rogers, David M. <drogers@Campbell-trial-lawyers.com> wrote:

Miriam,

Do you have some time over the next couple of days to discuss this and some other pending issues in the case with me? Let me know when would be convenient for you.

Thank you, I look forward to speaking with you.

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From: Miriam Weizenbaum [<mailto:Miriam@delucaandweizenbaum.com>]
Sent: Saturday, March 12, 2016 4:10 PM
To: Robert Hafner
Cc: Campbell, James M.; Rogers, David M.; Chang, Diana A.; jkelleher@hcc-law.com; Cahill, Christopher J.; WRonalter@goodwin.com; Jim Bergenn; mostrowski@goodwin.com; Amato DeLuca
Subject: FW: Ovalles v. Sony Electronics Inc., et al. (SEL Document Production - Bates Nos. 1047-1438)

Dear Bob:

Will you be able to get me (1) the bases for SEL's conclusion that the GS G6 or 6 was the model cell in the Ovalles VAIO and (2) other documents that SEL has that are part of, or submitted with, the UL report before the hearing on Wednesday? If for any reason SEL has changed it's conclusion that the GS G6 or 6 was the model in the Ovalles VAIO, please let me know.

Thank you,

Miriam

Miriam Weizenbaum

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Advocating for the rights of people and families harmed by medical negligence.

From: Miriam Weizenbaum <miriam@delucaandweizenbaum.com>

Date: Monday, March 7, 2016 at 1:21 PM

To: Robert Hafner <RHafner@eckertseamans.com>

Cc: "WRonalter@goodwin.com" <WRonalter@goodwin.com>, "Campbell, James M." <jmcampbell@Campbell-trial-lawyers.com>, "Rogers, David M." <drogers@Campbell-trial-lawyers.com>, "Chang, Diana A." <DChang@Campbell-trial-lawyers.com>, John Kelleher <jelleher@hcc-law.com>, "CCahill@goodwin.com" <CCahill@goodwin.com>, "WRonalter@goodwin.com" <WRonalter@goodwin.com>, Jim Bergenn <jbergenn@goodwin.com>, "mostrowski@goodwin.com" <mostrowski@goodwin.com>, Amato DeLuca <Bud@delucaandweizenbaum.com>

Subject: Re: Ovalles v. Sony Electronics Inc., et al. (SEL Document Production - Bates Nos. 1047-1438)

Dear Bob:

Thanks for taking time to go over the recent production. As we agreed, I am sending the questions I posed during our conversation:

Is Is document #9 (Bates Nos. 1269-1438) the complete UL report for the cells to which it pertains? In other words, does SEL have any additional documents that are part of the file for that UL report?

HYou described (I believe) Bates Nos. 1269-1438 as the UL report for the cell model contained in the Ovalles Notebook, which you have concluded is the "GS G6 or 6." **Please let me know if I have misunderstood that.** The question I posed during our call is how you link the "GS G6 or 6" to the Ovalles Notebook. You thought the connection may be based on the capacity of the cell in relation to the capacity of the pack. Let me know.

I also asked whether SEL was obligated to produce this UL report to any agency or entity.

Thanks for your willingness to look into this. If I have mischaracterized anything, please let me know. I may have more questions once I 'match' the documents to the requests. By the way, does Document #9 correspond to Wanda 14, and not Wilson?

Miriam Weizenbaum

Miriam Weizenbaum

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Advocating for the rights of people and families harmed by medical negligence.

From: Robert Hafner <RHafner@eckertseamans.com>

Date: Monday, March 7, 2016 at 10:46 AM

To: Miriam Weizenbaum <miriam@delucaandweizenbaum.com>

Cc: "Ronalter, William J." <WRonalter@goodwin.com>, "Campbell, James M." <jmccampbell@Campbell-trial-lawyers.com>, "Rogers, David M." <drogers@Campbell-trial-lawyers.com>, "Chang, Diana A." <DChang@Campbell-trial-lawyers.com>, John Kelleher <jelleher@hcc-law.com>

Subject: Ovalles v. Sony Electronics Inc., et al. (SEL Document Production - Bates Nos. 1047-1438)

Dear Miriam:

Per our telephone conversation last week during which you requested I advise you in response to which discovery request(s) Sony Electronics was producing the documents itemized below for which I forwarded you a Dropbox link with my email of 2/26/2016, I provide the following:

1. Bates Nos. 1047-1063 – Drawing No. SBAA 447_200 for Part No. 1-756-943-11 (BPS22 battery pack with Samsung cells).
Wanda Ovalles Interrogatory No. 4, 5, and 10
Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24
Wanda Ovalles RFP No. 2, 3, and 4
2. Bates Nos. 1064-1091 – Drawing No. SBAA296_400 for Part No. 1-756-971-11 (BPS22 battery pack with Sanyo cells).
Wanda Ovalles Interrogatory No. 4, 5, and 10
Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24
Wanda Ovalles RFP No. 2, 3, and 4
3. Bates Nos. 1092-1123 – UL Report for BPS22 battery pack with SEND cells.
Wanda Ovalles Interrogatory No. 4, 5, and 10
Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24
Wanda Ovalles RFP No. 2, 3, and 4
4. Bates Nos. 1124-1190 – UL Test Record for BPS22 battery pack with SEND cells.
Wanda Ovalles Interrogatory No. 4, 5, and 10

Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24

Wanda Ovalles RFP No. 2, 3, and 4

5. Bates Nos. 1191-1199 – UL Report for BPS22 battery pack with Samsung cells.

Wanda Ovalles Interrogatory No. 4, 5, and 10

Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24

Wanda Ovalles RFP No. 2, 3, and 4

6. Bates Nos. 1200-1202 – UL Test Record for BPS22 battery pack with Samsung cells.

Wanda Ovalles Interrogatory No. 4, 5, and 10

Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24

Wanda Ovalles RFP No. 2, 3, and 4

7. Bates Nos. 1203-1257 – UL Test Record Data Sheet for BPS 22 battery pack with Samsung cells.

Wanda Ovalles Interrogatory No. 4, 5, and 10

Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24

Wanda Ovalles RFP No. 2, 3, and 4

8. Bates Nos. 1258-1268 – CB Report for BPS22 battery pack.

Wanda Ovalles Interrogatory No. 4, 5, and 10

Wilson Ovalles Interrogatory No. 5, 8, 9, 10, 11, 12, 13, 15, 20, 22, 23 and 24

Wanda Ovalles RFP No. 2, 3, and 4

9. Bates Nos. 1269-1438 – UL Report MH12566-19910712 covering the Model G6G cell.

Wilson Ovalles Interrogatory No. 14

Thank you.

Robert J. Hafner

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